

## Provisions of McKinney – Vento Act of 2002

*(Drafted by Patricia Julianelle, National Law Center on Homelessness & Poverty,  
for publication in the children's Legal Rights Journal, Spring, 2002)*

**This is a handout at the March 14-15, 2002 meeting of the State Coordinators for Homeless  
Education**

**Sponsored by the U.S. Department of Education & The National Center for Homeless Education at  
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### **PRESCHOOL**

The McKinney-Vento Act recognizes the importance of preschool in ensuring that children are able to take full advantage of later educational opportunities. Forty-two percent (42%) of children and youth experiencing homelessness are below the age of five. Only 15% of these children are enrolled in preschool programs. [U.S. Department of Education, Fiscal Year 2000 Education for Homeless Children and Youth Program, Report to Congress 9 (2000)] In an effort to address this lack of access to preschool, the McKinney-Vento Act specifically covers preschool-aged children experiencing homelessness. State plans must describe “procedures that ensure that homeless children have equal access to the same public preschool programs, administered by the State agency as provided to other children in the state. McKinney-Vento [722(g)(1)(F)(i)]. Both liaisons and state coordinators have responsibility for implementing these procedures.

Liaisons must “ensure that...homeless families, children and youths receive educational services for which they are eligible, including Head Start and Even Start programs and preschool programs administered by the LEA. McKinney-Vento [722(g)(6)(A)(iii)] State coordinators are required to “facilitate coordination between the State Education Agency, the State social services agency, and other agencies....to provide services to homeless children, including preschool-aged homeless children...” McKinney-Vento [722(d)(4)]. They must also “coordinate and collaborate with educators, including child development and preschool program personnel” to “improve the provision of comprehensive education and related services to homeless children...” McKinney-Vento [722(d)(5)(A)].

For their part, Head Start grantees and delegate agencies have been directed to coordinate with State Coordinators, LEA liaisons and community agencies to ensure that children experiencing homelessness can access preschool services. The Administration for Children and Families of the U.S. Department of Health and Human Services issued an Information Memorandum in 1992 [Wade F. Horn, Administration for Children and Families of U.S. HHS, Information Memorandum, ACF-IM-92-12 (June 5, 1992) copies are available from the National Law Center at [nlchp@nlchp.org](mailto:nlchp@nlchp.org).] encouraging Head Start programs to target families in homeless situations. The memorandum notes that “preschool is especially significant for the homeless child.” Head Start grantees are encouraged to adapt their programs to serve children in homeless situations by providing transportation, reserving a number or percentage of slots for children who are homeless, and providing flexible schedules, among other strategies.

The McKinney-Vento Act permits SEAs and LEAs to use McKinney-Vento funds directly to provide preschool services to young children experiencing homelessness. States are to use McKinney-Vento grants in part to “provide activities for, and services to, homeless children, including preschool-aged homeless children, and youths that enable such children and youths to enroll in, attend, and succeed in school, or, if appropriate, in preschool programs.” LEAs can also use their McKinney-Vento sub-grants to provide “developmentally appropriate early childhood education programs, not otherwise provided through Federal, State, or local funding, for preschool-aged homeless children.” However, all services provided with sub-grants must, “to the maximum extent practicable, be provided through existing programs and mechanisms that integrate homeless children...with non-homeless children...” McKinney-Vento [723(a)(2)(A)(ii)].

